

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN DOE NO. 1; JOHN DOE NO. 2; and
NEW YORK STATE RIFLE AND PISTOL
ASSOCIATION, INC.,

Plaintiffs,

-against-

PUTNAM COUNTY; and MICHAEL C.
BARTOLOOTTI, in his official capacity as
Country Clerk for Putnam County,

Defendants,

STATE OF NEW YORK ATTORNEY
GENERAL,

Intervenor.

**DECLARATION OF
C. HARRIS DAGUE, ESQ.**

16-CV-8191

(KMK/LMS)

C. HARRIS DAGUE, on the date noted below and pursuant to §1746 of title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. I am an Assistant Attorney General for the State of New York and appear in this action on behalf of Letitia James, Attorney General of the State of New York, the attorney for Intervenor New York State Attorney General's Office.

2. I make this declaration in support of Intervenor's Opposition to Plaintiff's Motion for Summary Judgement and Intervenor's Motion for Summary Judgment pursuant to Fed. R. Civ.

3. On July 12, 2019, Intervenor's non-party expert witness Robert Sege was deposed in this action. Annexed hereto and incorporated herein as Exhibit 1 is a true and correct copy of the deposition transcript.

4. On July 17, 2019, Intervenor's non-party expert witness Marci Hamilton was deposed in this action. Annexed hereto and incorporated herein as Exhibit 2 is a true and correct copy of the deposition transcript.

5. On July 24, 2019, Intervenor's non-party expert witness April Zeoli was deposed in this action. Annexed hereto and incorporated herein as Exhibit 3 is a true and correct copy of the deposition transcript.

6. Annexed hereto and incorporated herein as Exhibit 4 is a true and correct copy of an article from the Glens Falls Post Star dated December 28, 2010 entitled "Wilton father, son charged in shooting death of 12-year old", available on-line https://poststar.com/news/local/wilton-father-son-charged-in-shooting-death-of-year/article_86124902-120f-11e0-9517_001cc4c002e0.html.

7. Annexed hereto and incorporated herein as Exhibit 5 is a true and correct copy of an story published on NBCNewYork.com on August 3, 2017 entitled "Long Island Teen Playing With Loaded Gun With Friends Accidentally Shoots, Kills Self: Police", available on-line <https://www.nbcnewyork.com/news/local/teen-boy-playing-gun-accidentally-shoots-kills-himself-long-island-2/701173/.com>.

8. On September 13, 2019, Plaintiff's non-party expert witness William English was deposed in this action. Annexed hereto and incorporated herein as Exhibit 6 is a true and correct

copy of part 1 of the deposition transcript. Due to the length of this transcript it has been divided into two separate parts for filing purposes.

9. On September 13, 2019, Plaintiff's non-party expert witness William English was deposed in this action. Annexed hereto and incorporated herein as Exhibit 7 is a true and correct copy of part 2 of the deposition transcript. Due to the length of this transcript it has been divided into two separate parts for filing purposes.

10. On June 4, 2019, Plaintiff John Doe 2 was deposed in this action. Annexed hereto and incorporated herein as Exhibit 8 is a true and correct copy of the deposition transcript. The deposition has been redacted to remove Doe 2's identity and all personal identifying information.

11. Plaintiff initiated this action on or about October 19, 2016 by submission of a "Complaint for Declaratory Judgment and Injunctive Relief". Dkt. No. 1, annexed hereto as Exhibit 9 pursuant to Karas Rule of Court II(B).

12. Annexed hereto and incorporated herein as Exhibit 10 is a true and correct copy of New York State Senate Introducer's Memo in Support of Bill S2230 [NY SAFE Act].

13. Annexed hereto and incorporated herein as Exhibit 11 is a true and correct copy of NY Bill Jacket, 2013 A.B. 2230, Ch. 1.

14. Annexed hereto and incorporated herein as Exhibit 12 is a true and correct copy of NYS Firearms License Request for Public Records Exemption form.

15. Annexed hereto and incorporated herein as Exhibit 13 is a true and correct copy of the Rebuttal Report of William English, Ph.D, executed July 23m, 2019 and produced in the course of discovery by Plaintiff.

16. Annexed hereto and incorporated herein as Exhibit 14 is a true and correct copy of
New York State Assembly SAFE Act debate, January 15, 2013.

Albany, NY
March 16, 2020

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C. HARRIS DAGUE